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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,504	04/06/2005	Claude Barlier	CIRTESS	6658

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EXAMINER	
ORTIZ RODRIGUEZ, CARLOS R	

ART UNIT	PAPER NUMBER
2125	

MAIL DATE	DELIVERY MODE
01/08/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/530,504

Applicant(s)

BARLIER ET AL.

Examiner

Carlos Ortiz-Rodriguez

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :8/22/05,9/14/05,3/3/06,6/5/06,1/3/07,11/21/07.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 3 objected to because of the following informalities: The term "1 and 2" should be "1. or 2". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Regarding claim 3, the phrase "for example" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.
4. Claim 2 recites the limitation "the set of strata". There is insufficient antecedent basis for this limitation in the claim.
5. Claim 3 recites the limitation "the type" and "the strata in question". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 5, 8 and 10-12 are rejected under 35 U.S.C. 102 (e) as being anticipated by Jang et al. U.S. Publication No. 2002/0149137.

Regarding claim 1, Jang et al. discloses: a preliminary step of breaking down the body of the part into elementary strata; a step of manufacturing the elementary strata; a step of reconstructing the part in its entirety by superposing and assembling the strata (Abstract), characterized in that: the procedure incorporates, during the breaking-down of the part, the breaking-down, into elementary chambers (20), of at least one fluid transport circuit designed beforehand according to a break-down associated with that of the part; said elementary chambers are produced in the elementary strata (7i) of the part during the step of manufacturing the strata; and the fluid transport circuit is reconstructed in its entirety during the superposition and assembly of the strata (Abstract and Paragraphs 0002-0004, 0009, 0054).

Regarding claim 2, Jang et al. discloses that the procedure also incorporates, during the breaking-down of the part, the breaking-down of an additional isolating circuit into elementary isolating chambers according to a break-down associated with that of the part; said elementary isolating chambers are produced in the elementary strata of

the part during the step of manufacturing the strata; and the isolating circuit is reconstructed during the superposition and assembly of the set of strata (Paragraph 0004).

Regarding claims 3 and 11-12, Jang et al. discloses a mechanical part of the type comprising a body with at least one fluid transport circuit composed, for example, of channels produced in the body and at a predetermined distance from a heat exchange surface, characterized in that the circuit is reconstructed in its entirety during assembly of the strata, based on a succession of elementary chambers that are brought into communication in a fluidtight manner and are provided in at least one portion of the strata in question (Paragraph 0004-0007, 0076 and 0078).

Regarding claims 5 and 10, Jang et al. discloses the mechanical part characterized in that the circuit, after reconstruction, forms, in the body of the part, a layer-shaped chamber (Paragraph 0004).

Regarding claim 8, Jang et al. discloses the mechanical part characterized in that it furthermore includes an additional isolating circuit also reconstructed in its entirety during assembly of the strata, based on a succession of elementary chambers that are brought into communication in a fluidtight manner and are provided in at least one portion of the strata (Paragraph 0004).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 6, 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jang et al. U.S. Publication No. 2002/0149137 in view of Jedrzejewski et al. U.S. Patent No. 6,454,924.

Regarding claims 4, 6, 7 and 9 Jang et al. discloses all the limitations of the base claims.

But Jang et al. fails to specify that after reconstruction, forms, in the body of the part, a set of parallel channels following or copying a surface at a predetermined distance from the latter; the circuit includes a multiplicity of transverse fins.

However, Jedrzejewski et al. disclose that after reconstruction, forms, in the body of the part, a set of parallel channels following or copying a surface at a predetermined distance from the latter; the circuit includes a multiplicity of transverse fins (C2 L40-65, C14 L29-42, and Figure 1).

Therefore at time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention disclosed by Jang et al. and combining it with the invention disclosed by Jedrzejewski et al.

One of ordinary skill in the art would have been motivated to do this modification in order to obtain transfer separation channels to supply a plurality of liquids as suggested by Jedrzejewski et al.

*Citation of Pertinent Prior Art*

Applicant is respectfully requested to fully consider all the references, in entirety, that appear on the attached list (Form PTO-892). These references disclose subject matter similar to that of applicant's disclosure and may be relied on in a future response to Applicant's remarks or amendments.

*Conclusion*

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is 571-272-3766.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



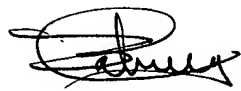
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Carlos Ortiz-Rodriguez  
Patent Examiner  
Art Unit 2125

December 27, 2007

  
ZOILA CABRERA  
PRIMARY EXAMINER  
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1/4/07